

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

JIM MOCK, *et al.*

Plaintiffs,

v.

CHANDELEUR HOMES, INC., *et al.*

Defendants.

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Case Number: 2:06-cv-00395-MHT

**RESPONSE TO MOTION TO SHORTEN TIME FOR DEFENDANT
CHAMPION ENTERPRISES, INC. TO RESPOND TO PLAINTIFFS'
SECOND REQUEST FOR PRODUCTION OF DOCUMENTS**

COMES NOW, Champion Enterprises, Inc. (hereinafter referred to as "Champion"), without waiving the right to compel arbitration, by and through counsel of record, and in response to Plaintiffs' Motion to Shorten Time for Defendant Champion Enterprises, Inc. to Respond to Plaintiffs' Second Request for Production of Documents, states as follows:

1. The discovery sought in *Russell J. Guidroz, Jr., et al. v. Champion Enterprises, Inc., et al.*, CV05-1148, a case pending in the United States District Court, Western District of Louisiana, Lafayette/Opelousas Division, has no relevance in that the defendants in the above case are Champion and Redman Homes, Inc. and the defendants in this case are Champion and Champion Homes of Boaz, Inc. f/k/a Chandeaur Homes, Inc. (hereinafter referred to as "Chandeaur")¹. Chandeaur does not own stock in Redman Homes, Inc. Redman Homes, Inc. does not own stock in Chandeaur.

¹ Chandeaur Homes, Inc. and Homes of Legend, Inc. merged in 2004 to form Champion Homes of Boaz, Inc.

2. The documents produced in *Guidroz* case, a class action lawsuit, are subject to a protective order².

3. On the 8th day of June 2006, this Court gave the parties until July 28, 2006 to complete discovery³. Champion received Plaintiffs' Second Request for Production of Documents on the 27th day of June 2006. Champion's response is due on or before the 27th day of July 2006, before the discovery deadline.

4. Plaintiffs received Champion's Motion to Dismiss or, in the alternative, Motion for Summary Judgment or, in the alternative, Motion to Transfer Venue in early May, 2006. It is respectfully submitted that if Plaintiffs desired the responses sooner, the request should have been made prior to the 27th day of June 2006.

5. Counsel for Champion will be out of town July 4 through July 8 and will experience great difficulty in producing the requested documents on or before the 7th day of July 2006, just ten (10) days after service of the same. Furthermore, David Goltz, the corporate representative responsible for signing the responses and providing the documents is out of the office this week as he and his family are moving into a new house.

6. Champion will be prejudiced by the time being shortened due to the unavailability of its corporate representative and its counsel during the next ten (10) days.

WHEREFORE PREMISES CONSIDERED, Champion requests that an Order be entered denying Plaintiffs' Motion to Shorten Time for Defendant Champion Enterprises, Inc. to

² Document 23 filed on the 2nd day of May 2006.

³ Plaintiffs' motion incorrectly states that "[o]n June 28, 2006, this Court entered an Order giving the parties until July 28, 2006 to complete discovery."

Respond to Plaintiff's Second Request for Production of Documents and for such other, further and different relief as may be just.

Respectfully submitted,

RITCHEY & RITCHEY, P.A.



Gregory S. Ritchey, Esquire (ASB-8193-H68G)
Richard S. Walker, Esquire (ASB-8719-L70R)
Counsel for Champion Enterprises, Inc.

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CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a copy of the foregoing has been served upon the following:

Jere L. Beasley, Esquire

W. Daniel Miles, III, Esquire

C. Gibson Vance, Esquire

BEASLEY, ALLEN, CROW,

METHVIN, PORTIS & MILES, P.C.

Post Office Box 4160

Montgomery, AL 36103

by placing a copy of same in the United States Mail, postage prepaid, on this the 28th day of June, 2006.



OF COUNSEL